

Chapter 6 PENALTIES, FEES AND FINES*

*Cross reference(s)--General penalty; continuing violations; municipal infractions excluded, § 1-7; municipal infractions, Ch. 5; failure to obtain and display alarm permit municipal infraction, § 21-4(c).

§ 6-1. Penalty for delinquent payment of taxes.

§ 6-2. Fees and charges for permits and services.

§ 6-3. Municipal infraction fines.

§ 6-4. Presumption that violation is a municipal infraction.

§ 6-5. Parking, stopping or standing fines.

Sec. 6-1. Penalty for delinquent payment of taxes.

The director of finance of the County, shall collect a penalty at the rate of one (1) percent for each month or fraction of a month against all ordinary taxes levied by the Village when payment of ordinary taxes is not received prior to October first for the fiscal year beginning July first.

Sec. 6-2. Fees and charges for permits and services.

The Board of Managers hereby establishes the following fees and charges for permits, certificates and services performed by the Village:

(a) *Building permits (Chapter 8).*

(1)	New non-residential construction	\$1,500.00
(2)	New residential construction	5,000.00
(3)	Swimming pools and tennis courts	750.00
(4)	Outdoor therapeutic baths	75.00
(5)	Detached garages	400.00
(6)	Other accessory structures	250.00
(7)	Demolition of buildings	100.00
(8)	Exterior alterations, modifications or repairs to residential buildings	
	a. footprint increased less than 200 square feet	150.00
	b. footprint increased 200 square feet to 500 square feet.....	250.00
	c. footprint increased 500 square feet to 1,250 square feet.....	500.00
	d. footprint increased more than 1,250 square feet.....	750.00
	e. additional fee for crawl space foundation.....	100.00
	f. additional fee for basement excavation.....	400.00

(9)	Overhead and underground wires	30.00
	(Section 8-29)	plus:
	a. for street and/or sidewalk cut other than for the purpose of connecting a utility to premises:	
	(i) asphalt and concrete : \$3.20 per linear foot – \$130.00 minimum.	
	(ii) grass strips: \$1.65 per linear foot - \$130.00 minimum.	
	b. for overhead wires: \$1.50 per linear foot – \$130.00 minimum.	
(10)	(a) Air conditioners, heat pumps, and generators—new, enlarged, or relocated	50.00
	(b) Air conditioners, heat pumps and generators—replaced in-kind and in the same location	25.00
(11)	Dumpsters and portable storage units.....	30.00
(12)	(a) Porches, decks and stoops—new, enlarged, or replaced with different kind	50.00
	(b) Porches, decks and stoops—replaced in-kind and in the same location	25.00
(13)	(a) Patios and sidewalks—new, enlarged, or replaced with different kind	30.00
	(b) Patios and sidewalks—replaced in-kind and in the same location	15.00
(14)	(a) Fences and walls—new, enlarged, relocated, or replaced with different kind	30.00
	(b) Fences and walls—replaced in-kind with the same or lower height and in the same location	15.00
(15)	(a) Driveways—new, enlarged, or replaced with different kind	30.00
	(b) Driveways—replaced in-kind and in the same location.....	15.00
(16)	Curb cuts	50.00
(17)	Bond review, if required	100.00
(18)	Play equipment	30.00
(19)	Temporary construction access	100.00
(20)	Construction on Village Right-of-Way	50.00
(21)	Planting on Village Right-of-Way	30.00
(22)	(a) Right-of-Way Use Agreement, except as provided below	350.00
	(b) Right-of-Way Use Agreement for in-kind replacement of an existing non-conformity in the same location.....	175.00
	(c) Right-of-Way Use Agreement for which recordation in the Montgomery County Land Records is waived.....	175.00
(23)	Tree Preservation Plan, if required	250.00

(24)	Building Code Appeals	
a.	variance or special permit for new construction (any construction where none exists).....	300.00
b.	variance or special permit for replacing existing non-conformities (replacement of more than 50% of an existing non-conformity).....	150.00
c.	appeal from a decision of the Village Manager	50.00
d.	special permit for demolition	
	(i) main building.....	2,250.00
	(ii) accessory building or structure.....	300.00
e.	variance or special permit for fences, walls, play equipment, trees, hedges, shrubbery in the public right-of-way.....	300.00
(25)	All other construction or work for which a building permit is required	30.00
(a.a)	<i>Stormwater management (Chapter 11).</i>	
(1)	Section 11-10, permit fee	500.00
	plus the actual cost of engineering consultant(s)	
(a.1)	<i>Sign code (Chapter 12) permit fees.</i>	
(1)	Real estate signs, each	5.00
(2)	All other signs, each	No fee
(b.)	<i>Permit parking (Chapter 14). Fees annually for each residential parking sticker...</i>	No fee
(b.1)	<i>Urban forest (Chapter 17).</i>	
(1)	Fee for tree permit other than trees required to be removed pursuant to section 10-24.....	50.00 per tree 350.00 maximum per application
(2)	Appeal fee	250.00
(3)	Fee for tree permit for removal of tree pursuant to section 10-24	No fee
(c.)	<i>Solicitors, hawkers and peddlers code (Chapter 19). Annual fee for each license ..</i>	25.00
(d.)	<i>Alarms (Chapter 21) licenses and permit fees.</i>	
(1)	Alarm business	25.00
(2)	Alarm users permit	5.00

(No. 49-03-84, 5-14-84; No. 55-05-84, 5-14-84; No. 19-12-88, 4-18-88; No. 38-06-88, 12-12-88; No. 0-91-05, 11-1-91; Ord. of 10-12-92; Ord. of 9-13-93; Ord. of 11-22-93; No. 7-01-00, 7-10-00; No. 01-01-02, 01-14-02; No. 02-09-02, 9-9-02; No. 10-03-04, 10-18-04; No. 01-02-06, 01-09-06; No. 10-01-06, 10-09-06; No. 01-01-07, 01-08-07; No. 03-01-07, 03-12-07; No. 10-05-08, 12-08-08; No. 02-01-09, 02-09-09; No. 11-01-08, 02-09-09; No. 09-02-11, 09-12-11.)

Sec. 6-3. Municipal infraction fines.

(a) Building regulations (Chapter 8).

(1)	Section 8-4, failure to obtain permit	\$500.00
(2)	Section 8-5, failure to obtain permit	500.00
(3)	Section 8-8, failure to comply with permit, etc.	500.00
(4)	Section 8-9, failure to obtain approval	300.00
(5)	Section 8-10, failure to obtain permit	100.00
(6)	Section 8-14, violation of stop work order	500.00
(7)	Section 8-17, residential building prohibitions	250.00
(8)	Section 8-18, unsafe buildings	250.00
(9)	Section 8-19, demolition of buildings.....	500.00
(10)	Section 8-20, expansion of nonconformities.....	100.00
(11)	Section 8-21, garages and accessory buildings.....	250.00
(12)	Section 8-22, private fences, walls, trees, etc	150.00
(13)	Section 8-23, tennis courts, antennae, etc	250.00
(14)	Section 8-24, swimming pools and outdoor baths	250.00
(15)	Section 8-25, alteration of water flow, etc	250.00
(16)	Section 8-26, driveways on private property	250.00
(17)	Section 8-28, disruption of Village streets, etc	150.00
(18)	Section 8-29, overhead or underground wires	150.00
(19)	Section 8-30, driveways crossing right-of-way	50.00
(20)	Section 8-31, fences, walls, etc. in right-of-way	100.00
(21)	Section 8-32, snow removal from public sidewalks	50.00

(No. 16-02-90, 2-12-90; No. 0-91-05, 11-1-91; Ord. of 9-13-93; No. 02-09-02, 9-9-02; No. 10-04-02, 10-14-02; No. 10-02-06, 10-09-06; No. 02-03-09, 02-09-09)

(b) Health and sanitation (Chapter 10).

(1)	Section 10-6, regular collection of household garbage, trash and recyclable material	\$15.00
(2)	Section 10-10, accumulation of refuse, construction rubble or household hazardous waste	50.00

(3)	Section 10-11, placement of refuse, construction rubble or household hazardous waste on public or private property prohibited	50.00
(4)	Section 10-12, restrictions on use of public trash receptacles	50.00
(5)	Section 10-13, advertisements and handbills	50.00
(6)	Section 10-14, liquids and gases	100.00
(7)	Section 10-15, use of poison	100.00
(8)	Section 10-16, household hazardous waste disposal	100.00
(9)	Section 10-17, maximum height of grass and weeds	25.00

(b.a) *Stormwater management (Chapter 11).*

(1)	Section 11-11:	
	a. Modification to approved plan	500.00
	b. Modification to waiver	500.00
	c. Modification to approved construction	1000.00
	d. Noncompliance to stop work	1000.00

(b.1) *Signs code (Chapter 12) fines.*

(1)	Section 12-3, sign permit requirement	15.00
(2)	Section 12-5, prohibited signs	15.00
(3)	Section 12-7, signs permitted	15.00

(b.2) *Urban forest (Chapter 17) fines:*

(1)	Section 17-2, tree permit requirement (private property)	1,000.00
(2)	Section 17-7, tree permit requirement (public right-of-way trees, at least twenty-four (24) inches in circumference at four and one-half (4 1/2) feet above ground level)	1,000.00
(3)	Section 17-7, tree permit requirement (public right-of-way trees, less than twenty-four (24) inches in circumference)	200.00
(4)	Section 17-9(c), removal of posted notice	100.00
(5)	Section 17-10, control of Dutch elm disease	1,000.00

(c) *Animal control (Chapter 18). Section 18-2(b) regarding:*

(1)	Dogs running at large (County Code Section 5-26)	25.00
(2)	Dogs on school grounds and public recreation areas (County Code Section 5-27)	15.00

(3)	Creating a public nuisance, generally (County Code Section 5-28)	15.00
(4)	Deposit and removal of dog feces (County Code Section 5-29)	15.00
(5)	Female dogs in heat (County Code Section 5-30)	15.00
(6)	Keeping or maintaining animals or fowl, prohibited (County Code Section 5-40(A)	50.00
<i>(d) Solicitors, hawkers and peddlers code (Chapter 19).</i>		
(1)	Section 19-3, license required	50.00
(2)	Section 19-6, noise for advertising purposes, prohibited	15.00
<i>(e) Noise control code (Chapter 20). Section 20-2(b), special noise limit</i>		25.00
<i>(f) Alarm regulations (Chapter 21).</i>		
(1)	Section 21-1(a), failure to meet alarm business license or alarm user permit requirement	50.00
(2)	Section 21-3, audible sound, thirty (30) minutes	50.00
(3)	Section 21-4, failure to display alarm permit decal	15.00

(No. 49-03-84, 5-14-84; No. 55-05-84, 5-14-84; No. 05-04-86, 2-2-86; No. 19-12-88, 4-18-88; No. 16-02-90, 2-12-90; No. 01-01-02, 01-14-02; No. 02-09-02, 9-9-02; No. 11-01-08, 02-09-09; No. 05-01-11, 06-13-11)

Editor's note--Resolution No. 55-05-84, adopted May 14, 1984, amended § 6-3 by adding provisions designated paragraph (b.1). Inasmuch as § 6-3 already contained provisions designated (b.1), the editor, in his discretion, has redesignated this new material as paragraph (b.a).

Sec. 6-4. Presumption that violation is a municipal infraction.

A violation of any provision of this Code is hereby specially designated to be a municipal infraction unless specifically declared to be a misdemeanor, felony, or otherwise designated, and unless otherwise specifically provided, the penalty therefore shall be a fine of twenty-five dollars (\$25.00).

Sec. 6-5. Parking, stopping or standing fines.

The following fines are established for certain parking violations:

(a)	Section 13-4, snow emergency routes	\$60.00
(b)	Section 13-7, emergency or temporary no parking zones	60.00
(c)	Section 13-8, time limits on parking	60.00
(d)	Section 13-9, restrictions on parking near public buildings or facilities	25.00
(e)	Section 13-10, commercial vehicle parked in residential area	75.00
(f)	Section 13-11, parking vehicles in violation of official signs	60.00
(g)	Section 13-12, snow/ice emergency, no parking	85.00

(h)	Section 14-12, violating residential permit parking	50.00
(No. 02-01-10, 02-16-10; No. 10-01-10, 04-09-12)		

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